

**MEETING MINUTES
BOARD OF SELECTMEN
August 16, 2016**

Present: Martin J. O'Toole, Chairman, Maura Curran, Shawn Harris, John Danehey
Patricia Vinchesi, Town Administrator

Mr. Vegnani was not present at the start of the meeting

The Meeting was called to order at 7:02 p.m.

Acceptance of Agenda

Mr. O'Toole made a MOTION to accept the agenda for August 16, 2016. Second by Mr. Harris, all in favor. Unanimous vote (4-0).

Mr. Vegnani joined the meeting at 7:05

WALK INS - NONE

REPORT OF THE TOWN ADMINISTRATOR

1. Public Facilities Update

Weather is moving projects along on schedule. Public Building Committee had a site visit to the library which is coming along nicely as well as the Public Safety Complex. The monopole will be erected in the next week or so for radio communications.

On August 31st there will be a sunrise service sponsored by FACTS – please come and support loved ones in the community.

Lorraine Devin put together a Board and Committee training for staff and Board and committee members which was very well attended. She did a great job and we encourage all to attend future trainings. This includes all public records law changes.

Cushing and Jenkins schools are offering day long active shooter training today and tomorrow, by Police and Fire Departments.

Nancy Durfee was invited up to share news that we are now a Class 7 (formerly Class 8) community which means a 15% discount on flood insurance premiums. The Selectmen congratulated Nancy. The community wasn't getting credit for things that we were doing. Thank you to the CRS Committee - Rosemary Dobie, Lynda Murray, Doris Crary, David Ball and Michael Ruthkowski who provided assistance and background information. Also thank you to Richard Harding, Conservation Commission, who assisted in

researching deeds. We received 1,703 credits. Also thank you to Department Heads and staff - Pat Gallivan, Carol Logue, Laura Harbottle, Karen Joseph, Kevin Cafferty, Sean McCarthy, Chris Chessia, Neil Duggan, Bob Vogel and Maureen Galvin. Ms. Vinchesi said that we are the only town in Massachusetts that has a 7 rating so it's quite impressive. A press release will go out – kudos to Nancy Durfee and the committee.

2. Water Shortage Update – Kevin Cafferty, DPW Superintendent

The water ban has been successful so far. From August 9 through August 16 our reservoir dropped 2.8 inches compared to 3.75 drop at last reading and over 6.5 inch drop in July. We have met with Marshfield and Cohasset in the event that we need water and we are looking into options. We're also looking into the chemistry of co-mingling the waters. Norwell has restrictions in place already as well as Hanover. All Towns have been affected. Marshfield has a well – we would have to run up Spring St. which is scheduled to be replaced.

Mr. Vegnani stated that realistically everyone has water issues - if they won't help us, what do we do? Which community do we go to? We've reached out further to Hanover, Rockland, and Abington. Mr. Cafferty said we need to make sure all water is compatible (fluoride). We're looking into everything we can. We don't know how many days, but it is dropping due to conservation efforts. Reservoir is at 24%. 60% of our water comes from wells and the rest from the reservoir. The time to act would be once reservoir is at 10%, however it depends on the usage. Ms. Curran agrees that our planning needs to be fast tracked as there is no rain on the horizon. We need to make sure we have a plan in place. Mr. Danehey mentioned that Hingham and Hull have a private water company. Could that be a possible solution? We need to look at the future and determine whether we should augment the reservoir or create wells. Mr. Cafferty agreed that long-term we would like to add a well and possibly expand the reservoir. Mr. Harris asked what we do about the marinas and washing boats. Ms. Vinchesi noted that boat washing is restricted and the Harbormaster has been enforcing. For Widows Walk we're using a well off Kent St. that we're rehabilitating and wouldn't affect our water system. Mr. Cafferty has met with the Fire Chief to make sure we have adequate water and we're looking into a memorandum of understanding with Norwell and Cohasset. We also spoke with Marshfield and how we can work together. We have about 6 weeks of water and conservation efforts are helping tremendously.

Mr. Vegnani is very concerned and we need a plan in place. Mr. Cafferty stated that nothing is a quick fix and we have to go through the DEP. Mr. Danehey remembered a ban 3-4 years ago that went into December – we need to get a cost to get into that well.

We need MOA's with other communities to ensure this doesn't happen in the years to come.

The Water department is diligently looking into every option. We're meeting with other communities. Cohasset would definitely help in a fire emergency. Chief Murphy was going to contact MEMA in the event of a Fire emergency and set up water tanks in the West End. A desalination plant would be about 20 million to get up and running.

Ms. Vinchesi said that we do have two wells that are on the Capital Plan. Mr. Vegnani said that the public needs to know whether their conservation efforts are working. Mr. Danehey is hopeful that the Cohasset water commissioners will be able to help.

3. DISCUSS/VOTE Water Ban Extension to Private Wells

Mr. O'Toole said the water table is down and it is possible that some well owners could run dry. It's important for them to conserve as well. He has a friend in Cohasset who has a well that has run dry. It's important for people to understand that this could happen.

Mr. Cafferty said we could put in some voluntary restrictions for well owners for a few days a week. Recommendation should come from the Selectmen and the Board of Health.

Jenn Keefe, Board of Health Director, joined the discussion: there are two lists of wells: Water Department has a list of registered wells and resident displays a sign, 2nd is a list of wells that no one was aware of – approximately 30 wells – no data on them. We're also checking the MA Dep to see which wells are registered with State. We're trying to obtain a comprehensive list. In the past two years, we've had 6 wells installed. Border St. has potable wells. Mr. Harris mentioned that well water can come from a source far away (New Hampshire). Nancy Durfee – if you draw too low, salt water can infiltrate – I've seen it in other communications.

Doug Litchfield, 196 Old Oaken Bucket, owns nursery – we had a 3 year stretch in 90's that we were in a drought. He put in a 650 foot deep well, drawing from outside of Scituate. I take care of all the container gardens in Scituate. There are people in town who have artesian wells – water comes from a source far away – his is from Canada.

Martha Cook, 3 Acorn St, Water Resource Committee. Some existing wells are so old and we can't legislate but we can ask that well owners conserve.

Ms. Vinchesi wants to clarify the agenda item. Without a by law approved at town meeting and Attorney General, we can't restrict well water usage. One community had it in place, and then it was repealed by petition. It's a sensitive issue. The discussion we are having tonight is to please volunteer to conserve. We are asking that everyone tries to conserve and if the Board of Selectmen wants the Board of Health to research a by law.

Ms. Curran offered that we respectfully request that folks conserve. Mr. O'Toole asked if we can send a letter to residents as its only 70 houses.

Mr. Danehey suggested we table this and wait to see where we're at in a few weeks.

SCHEDULED ITEMS:

Eagle Scout Project, Sebastian Pizzuto, Eagle Scout Candidate & David Ball, President, Scituate Historical Society

Dave Ball just wanted to make a few comments about Nancy Durfee's work on the re-classification. The homeowner who is paying flood insurance will now be paying a 15 % discount. Congratulations to Nancy.

Sebastian Pizzuto, a life scout, resident of Humarock. He wants to place historical signage of the Portland Gale as well as a new flagpole at the Humarock Fire Station. He is hoping to start in the spring of 2017. Dave and Sebastian met with Chris Brown, a Humarock resident who knows the area well and is very enthusiastic about the project.

Motion to accept the proposal to do the work on the Eagle Scout project, Motion by Mr. Vegnani, second by Mr. Danehey, unanimous (5-0)

Outdoor Entertainment Permit, 271 Central Ave., Judith Duffy

Ms. Duffy appeared with her daughter. Her daughter was married in Tennessee and now they would like to hold a celebration in Humarock. They have notified abutters and don't need any parking.

Move to grant an outdoor entertainment permit to Judith Duffy for an upcoming Private event with a DJ on 9/10/16 at 271 Central Avenue, Humarock from 4 p.m. to 10 p.m. Motion by Mr. Danehey Second by Mr. Harris Unanimous Vote (5-0)

Mooring Rules and Regulations, Sections "Authority" thru "B9" Stephen Mone, Harbormaster & Brian Cronin, Chairman, Waterways

Mr. Mone stated that we're hoping to adopt the new regulations in these sections as outlined in red and taking from MA General Law. We have 750 people on the waiting list, including children. The rules state you have to be 18 according to rules and regulations so we end up calling a child who is under 18. They can stay at the top of the list until they're 18 years old. We've added that they could go on the list at 16 or at age 12 if they took a boating class.

Mr. Danehey asked why would we have a 12 year old child on the list? It should be 18. This is a wait list and we need to better define who can be on it, and clarify the date. We need to put the “own- ness” on them – provide a valid way to communicate with them – email, address. If they don’t provide it, they’re off the list. We need to re-write this for clarification.

Mr. Cronin said that Waterways had a number of working group meetings with close to 80 people in attendance. The public provided quite a bit of input which has resulted in the changes to the new rules and regulations.

A question was asked whether the current kids who’ve been on the list for 10 years should be grandfathered. Mr. Mone also suggested providing preferred locations so we know where they want to go (i.e. Inner harbor, Outer Harbor). Mr. Danehey suggested we have a map to clearly identify these locations. We have people who’ve been in the beginning of the list and refuse because of location, but stay at #1. Mr. Danehey suggested that at second refusal you are dropped from the list.

Keith Walo, Country Way – those at the top of list have 10 days to respond which takes way too much time. We have 50 moorings waiting to be given out which is lost revenue to the Town. Mr. Mone said we’ve been trying to give out moorings but we call the same people every year.

For next year, everyone will have to re-submit and understand the new rules and regulations to be followed each year.

Ms. Curran asked how many transient moorings are available. Mr. Cronin said they are offered through boat clubs and private launch service. We’ve never had to turn anyone away. Ms. Vinchesi stated that transient slips and moorings were supposed to be available at the Maritime Center, back in 2010-2011. We do have transient slips available at the Pier but no moorings. This will be re-visited at a later date.

Mr. Danehey suggested we postpone to the next meeting. We need to clarify some things and he’s happy to work on it and come to the next Waterways meeting.

This will be discussed at a future Board of Selectmen meeting.

Sewer Rates 2016-2017, Kevin Cafferty, DPW Director and Nancy Holt, Town Accountant/Finance Director

Mr. Cafferty – The Sewer Department has had to address numerous equipment failures and deferred maintenance at the Waste Water Treatment Plant and at pump stations resulting in Special Town Meeting increasing the sewer enterprise operating budget of \$397,000 in FY15 and \$315,000 in FY16. The sewer department was also hard hit in 2015 with electricity rates which caused electricity costs to increase significantly.

Ms. Holt noted that electric rates went up significantly, about 20%, from the storms. We pay national grid, then the credit comes back into revolving funds. Mr. Cafferty said we've made many improvements to equipment (clarifiers, main aeration tank).

The Capital Plan has 3.7 million in additional projects that will add to Debt Service going forward. Mr. Vegnani asked about the 10% increase and will it make it flush?

Ms. Holt said this will increase revenue \$100,000, with \$40,000/year for disposal increase. More importantly, we need to see how effective we are in bringing these repairs in. Mr. Vegnani asked if we have a financial plan? We need to see some type of model and understand the prepayment of betterments. Ms. Holt, we are formulating a long term plan now. We have to determine how much more we need to put into maintenance before we're at a 'normal' maintenance budget. Mr. Harris noted that there has been quite a bit of maintenance.

Ms. Curran asked if we have an estimate of repairs. Ms. Holt said 3.7 million is in Capital plan right now. The copper is an unknown and how it will impact us. We have it in for 1 million, but it may be more than that. We have an ongoing feasibility study in process and will bring back to the Board. Ms. Holt said that we've been in re-active, urgent modes, and now that we've addressed these issues we want to determine how to improve the plant overall. Mr. Danehey stated that we really need to go out and understand the full plan before we increase sewer rates. Ms. Vinchesi said the Board did not want to raise rates from 2013 and we have the 3rd lowest sewer rate of surrounding communities from 2014 data. We should be increasing rates 2.5% a year to reflect the cost of doing business. Our storms have impacted the system so it's been difficult. We've used cash for all our improvements.

The Selectmen asked if we can get a 5 year, 10 year plan. Ms. Holt will produce a plan with historical data to present at the next meeting.

This will be discussed at a future Board of Selectmen meeting

OLD BUSINESS

Veterans Cemetery Regulations, Don Knapp, Veterans Agent

Mr. Knapp didn't provide any new revisions to the policy. Mr. Vegnani feels strongly that a long term resident (25 years) should be allowed to be buried here. He feels it's

important if they leave for a Care facility, that they be considered a resident. In looking at other towns, there are many options. Mr. Danehey noted it's important to note whether they were a resident at the time of enlistment. Also if married, the spouse can be placed with the deceased spouse. Does the Board want to have some discretion to make a decision that may not be covered under a new policy? Mr. Harris inquired about the lot line which Ms. Vinchesi noted that it's the stone wall. Mr. Vegnani asked what timeline we should use for designating residency. Mr. Danehey volunteered to make some edits to the document. We need to have multiple options available to set up the guidelines.

This will be discussed at a future Board of Selectmen meeting

GATRA, Patricia Vinchesi, Town Administrator

The Board requested an update on the status of the Sloop – met with Linda Hayes, Council on Aging, and Frank Gay, Executive Director of GATRA. Ridership is growing and increased in July. GATRA must meet with ADA demand response service. Any individual living in Scituate that's eligible within ¾ mile radius from current route has an obligation to be serviced. Expanding the route may not be financially feasible. It costs \$50/hour to run Sloop. If we expand to North Scituate, we may need to service Cohasset as part of the ¾ mile responsibility. We're hoping to decrease times of service, possibly Sunday ridership. Mr. Gay is looking at the numbers right now. Mr. Danehey asked if we can further investigate the routes to see the popular times and maybe split routes. Mr. Vegnani votes to expand route. Ms. Vinchesi will follow up with GATRA to see if we can break down by time sequence.

Adaptive Building Reuse and Interfund Borrowing, Patricia Vinchesi, Town Administrator and Nancy Holt, Town Accountant/Finance Director

Ms. Vinchesi wants to update on next steps from Adaptive Building Reuse Committee. Consensus was that the Board wanted more information to make a determination. Ms. Vinchesi met with Karen Pritchard, Chair of Adaptive Building Reuse Committee and Al Bangert and they have next steps.

1. A contract for \$7,500 has been executed to engage a professional appraiser to conduct an appraisal of both the Gates Middle School and current Council on Aging Facility on Brook Street.
2. Preliminary exploratory meetings will be scheduled with one, possibly two, firms that specialize in developing housing in former schools. We have the names of two firms in hand already. (Please note development of housing is likely not the best revenue return if Gates is sold for such purposes).

3. Similar to the process undertaken for the Public Safety Complex, the Town would go out to bid for an architectural firm that will be engaged to conduct a feasibility assessment/study for three sites for a Senior Center. The sites will be:
 - a. Behind Gates School (as recommended by the ABRC)
 - b. At the former Branch Street site (presented but defeated in 2007)
 - c. Land on the Driftway by transfer station
 - d. Purple Dinosaur Park (limited scope)

Another option would be a land swap with Housing Authority for the land on Kent St. This land could support both affordable housing and senior center. Detailed soil testing would need to be done. Once we get answers, we can come back to the Board. Mr. Harris asked if we can we look into access via Langdon Ln. There used to be fields many years ago. Ms. Vinchesi asked for an endorsement from the Board to move forward. Mr. Vegnani inquired about costs, which will not exceed \$75,000 and will provide us with feasibility study on all these sites. We will get definitive answers to move ahead.

Motion to move forward with the feasibility study, Motion by Mr. Vegnani, Second by Mr. Danehey, Unanimous Vote (5-0)

Move that the Board of Selectmen approve the Interfund Borrowing request prepared by the Treasurer Collector in the amount of \$75,000 for the design and engineering of the Gates Middle School and the Senior Center. Motion by Ms. Curran, Second by Mr. Harris, Unanimous Vote (5-0)

NEW BUSINESS:

1. One Day Wine & Malt Licenses

- a. The Pour Guys @ SMC 8/27/16 5-11 p.m. for anniversary party
The Board of Selectmen interviewed Lane Parmley who spoke about the events they've done – they are a catering company that specializes in alcoholic beverages—wedding events, anniversaries, the Levitate festival. We've been in business for almost two years. We work with full caterers to provide food.

Move that the Board of Selectmen approve The Pour Guys for a one day license at the Scituate Maritime Center on August 27, 2016 from 5-11 pm. for an Anniversary Party. Motion by Mr. Harris, Second by Mr. Vegnani. Unanimous Vote (5-0)

- b. Gennaro's @ SMC 8/19/16 5-11 p.m. for private event

Move to approve a one day beer and wine permit to Gennaros eatery for an event at the Scituate Maritime Center on 8/19/16 from 5-11 PM. Motion by Mr. Vegnani, Second by Ms. Curran, Unanimous Vote (5-0)

- c. Silent Chef @ SMC 9/3/16 5-9 p.m. for rehearsal dinner
Move to approve a one day wine and malt license for Silent Chef at the Scituate Maritime Center on 9/3/16 from 5 – 9 p.m. for a rehearsal dinner. Motion by Mr. Harris, Second by Mr. Vegnani, Unanimous Vote (5-0)
- d. Silent Chef @ SMC 8/27/16 12-4 p.m. for Memorial Service
Move to approve a one day wine and malt license for Silent Chef at the Scituate Maritime Center on 8/27/16 12 – 4 p.m. for memorial service. Motion by Mr. Harris, Second by Mr. Vegnani, Unanimous Vote (5-0)
- e. Taylor Made Bartending @ SMC 8/21/16 11 a.m. – 3 p.m. for Bridal Shower
Move to approve a one day wine and malt license for Taylor Made Bartending at the Scituate Maritime Center on 8/21/16 11 a.m – 3 p.m. for a Bridal Shower. Motion by Mr. Vegnani, Second by Mr. Harris, Unanimous Vote (5-0)
- f. One Day Wine & Malt for GAR Hall Events
Move to approve five (5) one day wine and malt licenses for GAR Hall events. Motion by Mr. Danehey, Second by Mr. Harris, Unanimous Vote (5-0)

2. Special Town Meeting

- a. Special Town Meeting Date – October 19, 2016
Move that the Board of Selectmen schedule the Special Town Meeting for Wednesday, October 19, 2016 for 7 pm. Motion by Mr. Danehey Second by Mr. Vegnani, Unanimous Vote (5-0)
- b. Open Special Town Meeting Warrant
Move that the Board of Selectmen open the Warrant for the October 19, 2016 Special Town Meeting at 9:47 P.M. Motion by Mr. Danehey, Second by Ms. Curran, Unanimous Vote (5-0)
Warrant will be closed by September 6th.

3. Acting Town Administrator Employment Agreement

This is an expired contract that is identical to the former contract, dates have been changed. It's the same agreement as the last five years. Mr. Vegnani questioned whether they could change out the Acting Town Administrator, should they desire. Ms. Vinchesi said that the agreement can be amended.

Move that the Board of Selectmen authorize the Town Administrator to sign the Acting Town Administrator Employment agreement, Motion by Mr. Harris Second by Mr. Vegnani, Unanimous (5-0)

4. Board of Selectmen Annual Retreat Date

The Board set the date of September 17, 2016 for their annual retreat

5. Set date for Town Counsel Interviews

We've received six proposals and the screening committee is recommending five. Interviews are done in open session and we should schedule a separate meeting on an off night. The dates of September 13th -14th are a possibility at 6 P.M. First, the Board of Selectmen will review, rate them and give to Mr. O'Toole.

OTHER BUSINESS:

1. Correspondence

- ABCC – H4569 Signed into law - Alcohol Sales the Day after Christmas 12/26/16
- MIIA Rewards - Town of Scituate receiving MIIA Rewards credits totaling \$15,968.00 in FY2016

2. Approval of Meeting Minutes

Move to accept and not release Executive Session Minutes for 4/26, 5/10, 5/24, and 6/21/16 since the matters discussed are still pending at this time. Motion by Mr. Vegnani Second by Mr. Harris, Unanimous Vote (5-0)

Move that the Board of Selectmen approve the Executive Session minutes for the 7/5/16 Board of Selectmen meeting. Motion by Mr. Vegnani Second by Mr. Harris, Unanimous Vote (5-0)

Move that the Board of Selectmen approve the meeting minutes for the 7/5/16 open session addendum. Motion by Mr. Vegnani Second by Mr. Harris, Unanimous Vote (5-0)

Move that the Board of Selectmen approve the meeting minutes for the 8/2/16 Board of Selectmen Meeting. Motion by Mr. Vegnani, Second by Mr. Danehey, Unanimous Vote (5-0)

Move that the Board of Selectmen go into Executive Session at 10:07 P.M.

- 1. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. - Fire and TOSCA**
- 2. To consider the purchase, exchange, lease or value of real property. - Greenbush, Doherty property and Ellis Property**

Motion by Mr. Danehey, Second by Mr. Vegnani, not to return to open session unanimous.

Roll Call Vote

O'Toole yes

Vegnani yes

Danehey yes

Curran yes

Harris yes

Respectfully Submitted,

Michele Seghezzi

Recorder

List of Documents for August 16, 2016 Board of Selectmen Meeting

- Agenda
- Upcoming Events
- Water Shortage Update
 - Boston Globe article
 - Widows Walk Conservation Strategy
 - Wenham Water Department Water Use restrictions
- Eagle Scout Project, Sebastian Pizzuto
- Outdoor Entertainment Permit – Duffy, Central Ave.
- Mooring Rules and Regulations, Sections “Authority” through B9
- Sewer Rate Increase
- Cudworth Veteran’s Cemetary Rules and Regulations
- Survey results of Mass Towns with Veterans Cemetary
- Adaptive Building Reuse Committee Recommendations
- Interfund Borrowing for Facilities Design/Engineering
- One Day Wine and Malt Applications
 - Gennaro’s @ SMC 8/19/16 5-11 p.m. for private event
 - The Pour Guys @ SMC 8/27/16 5-11 p.m. for anniversary party
 - Silent Chef @ SMC 9/3/16 5-9 p.m. for rehearsal dinner
 - Silent Chef @ SMC 8/27/16 12-4 p.m. for Memorial Service
 - Taylor Made Bartending @ SMC 8/21/16 11 a.m. – 3 p.m. for Bridal Shower
 - One Day Wine & Malt for GAR Hall Events
- Special Town Meeting Date October
- Acting Town Administrator Employment Agreement
- Correspondence
 - ABCC advisory regarding alcohol sales the day after Christmas
 - MIIA FY17 Rewards of \$15,968
- Minutes
 - Executive Session Minutes, April 26, 2016
 - Executive Session Minutes, May 10, 2016
 - Executive Session Minutes, May 24, 2016
 - Executive Session Minutes, June 21, 2016
 - Executive Session Minutes, July 5, 2016
 - Board of Selectmen Meeting Minutes, August 2, 2016

Board of Selectmen Meeting Minutes for August 16, 2016

BOARD OF SELECTMEN

Martin J. O'Toole, Chairman

Anthony V. Vegnani, Vice Chairman

Maura C. Curran, Clerk

John F. Danehey

Shawn Harris